

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant	:	Sean E. Purcell, et al.		
Filed	:	03/12/2004		
Title	:	MESSAGE JUNK RATING INTERFACE		
Group Art Unit	:	2456		
Examiner	:	Kevin S. Mai		
Docket No.	:	308122.01/MFCP.149237		
Customer No.	:	45809		

VIA EFS – November 26, 2010

Mail Stop RCE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR TWO-MONTHS EXTENSION OF TIME

It is hereby requested that the time period for responding to the Final Office Action mailed June 25, 2010, be extended for two months or until November 26, 2010, as November 25, 2010 is a Holiday. The Petition fee of \$490.00 in accordance with 37 C.F.R. § 1.17(a)(2) is submitted herewith by way of electronic payment.

SUBMISSION UNDER 37 C.R.F 1.114

The following amendments and remarks are filed together with a Request for Continued Examination (RCE) under 37 C.F.R. 1.114 in response to the Final Office Action mailed June 25, 2010. Please consider the following:

Amendments to the Claims: begin on page 2 of this paper.

Summary of Examiner Interview: begin on page 9 of this paper.

Remarks: begin on page 9 of this paper.

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A junk message interface system that facilitates identifying junk messages comprising:

a processor for executing the following components:

a message receiving component that collects at least one incoming message;

a filtering component that accepts the incoming message communicated from the message receiving component and determines whether a sender is known or trusted before scanning the message with a filter and determining a junk score for the incoming message, the junk score is computed to reflect a spam confidence level of the message, wherein the junk score is a value or fractional value between 0 and 1, and the spam confidence level corresponds to a probability that the message is spam or junk, wherein once the message has been scored, the message is bucketized based on the determined junk score and tagged with a junk rating which is added as ~~a~~an actionable property on the message such that the junk rating is displayed on a user interface in association with each respective message as a separate column so that a display of the messages can be visually altered based on the junk ratings of the messages by way of one or more display rules, the one or more display rules allowing for certain messages, based on the junk ratings, to be hidden thus facilitating viewing of only desired messages, wherein a user can override the junk score via a user-based action that affects the

junk score of the message and future messages, and wherein the user-based action comprises replying to the message;

a verification component that requests confirmation regarding the user-based actions on rated messages; and

a display component that renders the junk scores as an actionable property on a user interface to facilitate user management of incoming junk messages communicated from the filtering component.

2. (Original) The junk message interface system of claim 1, further comprising a view management component that provides one or more ways the user can modify treatment of the junk messages.

3. (Original) The junk message interface system of claim 2, the view management component comprises any one of the following ways to mitigate against inadvertently opening a junk message comprising:

sorting and/or grouping messages based at least in part on at least one of their respective junk scores and their respective junk ratings;

filtering out messages with at least one of a junk score or a junk rating that does not satisfy at least a first criterion;

setting one or more actions to take against the messages when at least one of the respective junk scores or junk ratings that do not satisfy at least a second criterion; and

visually altering displays of messages according to at least one of their respective junk scores or junk ratings.

4. (Original) The junk message interface system of claim 3, the first criterion is configurably different from the second criterion.

5. (Original) The junk message interface system of claim 3, at least one of the first and second criteria is determined according to user preferences.

6. (Original) The junk message interface system of claim 3, visually altering the displays comprises color-coding, changing fonts, font sizes, backgrounds, adding or altering images, and/or adding or altering sounds associated with the respective messages based at least in part on their respective junk scores.

7. (Original) The junk message interface system of claim 1, further comprising an analysis component that examines junk scores of the incoming messages and orders them based at least in part on a spam confidence level associated with the respective messages.

8. (Original) The junk message interface system of claim 1, the display component is a user-interface that exposes a message's junk score to a user so that the user can organize its messages based in part on the respective junk scores.

9. (Original) The junk message interface system of claim 1, the filtering component further determines whether a source of the message appears to be trusted based on at least one of the following: user's blocked senders list, safe-list, address book, and safe-mailing list.

10. Canceled.

11. (Previously Presented) The junk message interface system of claim 10, the verification component fails user requests to perform an action with respect to a junk message until the user requests are verified by the users.

12. (Previously Presented) The junk message interface system of claim 1, wherein the messages are bucketized based on the determined junk so that the effects of features are seen only in aggregate, thereby mitigating reverse engineering of the junk score.

13-14. Canceled.

15. (Currently Amended) A method that facilitates identification of junk messages in a user's inbox comprising:

employing a processor to execute the identification of junk messages, comprising;

receiving a plurality of incoming messages;

determining whether a sender is known or trusted;

assigning a junk rating to the messages;

exposing at least the junk rating on a user interface;

calculating a junk score for substantially all incoming messages, the junk score is computed to reflect a spam confidence level of the message, wherein the junk score is a value or fractional value between 0 and 1, and the spam confidence level corresponds to a probability that the message is spam or junk;

bucketizing the message based on the calculated junk score;

tagging the message with a junk rating which is added as ~~a~~an actionable property on the message such that the junk rating is displayed on a user interface

in association with each respective message as a separate column so that a display of the messages can be visually altered based on the junk ratings of the messages by way of one or more display rules, the one or more display rules allowing for certain messages, based on the junk ratings, to be hidden thus facilitating viewing of only desired messages;

determining whether at least one of the junk score or the junk rating exceeds a first threshold;

removing messages that exceed the first threshold to mitigate inadvertent access of them by the user, wherein the messages that exceed the first threshold are removed before they are viewable on the user interface; and

overriding the junk score via a user-based action that affects the junk score of the message and future messages, wherein a confirmation is presented regarding the user-based action on the message, the user-based action including one or more of modifying or replying to the message.

16. Canceled.

17. (Previously Presented) The method of claim 15, wherein the messages are bucketized based on the calculated junk score so that the effects of features are seen only in aggregate, thereby mitigating reverse engineering of the junk score.

18. (Original) The method of claim 15, further comprising organizing junk messages based at least in part upon their junk rating.

19-20. Canceled.

21. (Original) The method of claim 15, the junk rating is based at least in part on one of the following: junk score, one or more safe lists, one or more safe sender lists, user-based actions, and/or user-generated address book.

22. (Original) The method of claim 21, user-based actions comprises at least one of the following:

unjunking a message by moving it from a junk state to a non-junk state resulting in an "unjunked" junk rating;

junking a message by moving it from a non-junk state to a junk state resulting in a "junked" junk rating; and

adding a sender to one or more safe lists to change the junk rating of the message to safe.

23. (Original) The method of claim 22, the user-based actions affect the junk rating of the message and/or future messages received from a particular sender.

24. (Original) The method of claim 15, assigning a junk rating to messages commensurate with at least their respective junk scores.

25. (Previously Presented) The method of claim 15, bucketizing the message based on the calculated junk score comprises:

providing a plurality of buckets comprising at least the following categorized buckets: an unscanned bucket, a light bucket, a medium bucket, and a high bucket, the plurality of buckets respectively assigned to a range of junk score values;

dropping messages into respective buckets based at least in part on their calculated junk score such that the respective bucket determines the junk rating for the respective messages.

26. (Original) The method of claim 15, further comprising exposing respective junk scores for the messages.

27. Canceled.

28. Canceled.

29. (Previously Presented) A computer storage media having stored thereon the system of claim 1.

REMARKS

Prior to the present communication, claims 1-9, 11-12, 15, 17-18, 21-26, and 29 were pending in the above-identified application. Each of claims 1-9, 11-12, 15, 17-18, 21-26, and 29 stands rejected. Claims 1 and 15 have been amended. Claims 1-9, 11-12, 15, 17-18, 21-26, and 29 remain pending. Support for the amendments can be found at, for example, ¶¶ [0034] and [0037]. Reconsideration of the above-identified application in view of the amendments above and the following remarks is respectfully requested.

Summary of Examiner Interview

Applicants would like to thank Examiner Mai for the courtesy of an Examiner Interview with Applicants' representatives on October 21, 2010. The 103(a) rejection of claim 1 was discussed. In particular, the feature of claim 1, "a verification component that requests confirmation regarding the user-based actions on rated messages" was discussed in relation to the Adkins reference. Further, the 103(a) rejection of claims 8 and 15 was discussed. In particular, "the display component is a user-interface that exposes a message's junk score to a user so that the user can organize its messages based in part on the respective junk scores" of claim 8, and "exposing at least the junk rating on a user interface" and "tagging the message with a junk rating which is added as a property on the message" of claim 15 were discussed. Applicants' representative and Examiner Mai also discussed potential claim amendments directed to a separate column that exposes the junk rating for each message. Support for these amendments is found at FIG. 3 of Applicants' specification. Applicants' representative agreed to draft some proposed claims amendments for discussion during the subsequent interview.

Applicants would further like to thank Examiner Mai and Examiner Bargadle for the courtesy of an Examiner Interview with Applicants' representatives on November 2, 2010.

MacLane Key was present in person and Elena McFarland was present via the telephone. Applicants' representative provided proposed amendments to the Examiners prior to the interview. During the interview, these amendments were discussed. Examiner Mai pointed out a portion of the Horvitz reference in relation to the proposed claim amendments. Examiner Bargadle proposed a claim amendment in addition to the proposed claim amendments. Examiner Bargadle suggested that Applicants include that rules can be used to hide certain messages based on their junk ratings so only desired messages are visible. As such, independent claims 1 and 15 have been amended in accordance with the discussions of these proposed claim amendments. While an agreement was not reached, the Examiner indicated that these amendments would likely get around the cited art.

Rejections based on 35 U.S.C. § 103

A.) Obviousness Rejection Based on Rajan in view of Murray, and in further view of Horvitz, Arthur, and Adkins.

Claims 1-9, 11 and 12 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2005/0165895 to Rajan et al. (hereinafter "Rajan") and further in view of U.S. Publication No. 2005/0080855 to Murray (hereinafter "Murray") and further in view of U.S. Patent No. 6,161,130 to Horvitz et al. (hereinafter "Horvitz") and further in view of U.S. Patent No. 7,640,305 to Arthur et al. (hereinafter "Arthur") and further in view of U.S. Publication No. 2004/0243844 to Adkins (hereinafter "Adkins"). As Rajan, Murray, Horvitz, Arther, and Adkins, both alone and in combination, fail to teach or suggest all of the limitations of rejected claims 1-9, 11, and 12, Applicants respectfully traverse this rejection, as hereinafter set forth.

Independent claim 1, as amended herein, is generally directed to a junk message interface system that facilitates identifying junk messages. The system includes a processor for executing various components. These components include a message receiving component that collects at least one incoming message and a filtering component that accepts the incoming message communicated from the message receiving component. The filtering component determines whether a sender is known or trusted before scanning the message with a filter and determining a junk score for the incoming message. The junk score is computed to reflect a spam confidence level of the message. The junk score is a value or fractional value between 0 and 1, and the spam confidence level corresponds to a probability that the message is spam or junk. Once the message has been scored, the message is bucketized based on the determined junk score and tagged with a junk rating which is added as an actionable property on the message such that the junk rating is displayed on a user interface in association with each respective message as a separate column so that a display of the messages can be visually altered based on the junk ratings of the messages by way of one or more display rules. The one or more display rules allow for certain messages, based on the junk ratings, to be hidden thus facilitating viewing of only desired messages. A user can override the junk score via a user-based action that affects the junk score of the message and future messages. Further, the user-based action comprises replying to the message. Another component in the system is a verification component that requests confirmation regarding the user-based actions on rated messages and a display component that renders the junk scores as an actionable property on a user interface to facilitate user management of incoming junk messages communicated from the filtering component.

To the contrary, Rajan is directed to moving incoming e-mails into various directories and folders based on whether the e-mails are “suspected of being spam. . .” Rajan,

Abstract. Further, the e-mails are graded as to their level of spaminess, and are moved or copied “into one or more of the spam directories based upon the e-mails’ respective levels of spaminess.” *Id.* In Rajan, as shown in FIG. 3, various folders are used to store e-mails that may be considered spam. *See id.* at FIG. 3. These folders include a gray, black, voted spam, and a pre-inbox folder. *See id.* Rajan uses an algorithm to automatically move e-mails into one or more of the various folders.

It is respectfully submitted that Rajan fails to teach or suggest “*tagging the message with a junk rating which is added as an actionable property on the message such that the junk rating is displayed on a user interface in association with each respective message as a separate column so that a display of the messages can be visually altered based on the junk ratings of the messages by way of one or more display rules, the one or more display rules allowing for certain messages, based on the junk ratings, to be hidden thus facilitating viewing of only desired messages.*” Further, Murry, Horvitz, Arthur, and Adkins also fail to teach or suggest the above-recited features.

During the Examiner Interview of November 2, 2010, a portion of the Horvitz reference was discussed. This portion states that “[f]urthermore, not only can these messages be rank ordered but additionally or alternatively the messages themselves (or portions thereof) or a certain visual identifier(s) for each such message can be color coded.” Horvitz, col. 14, ll. 19-23. Initially, Applicants respectfully submit that neither this portion of Horvitz nor any other portion of Horvitz teaches or suggests the above-recited feature. Specifically, claim 1, as amended herein, states that the junk rating is added as an actionable property on the message and is displayed on a user interface for each message as a separate column so that the display of messages can be visually altered based on the junk ratings. While Horvitz does state that

messages can be rank ordered and that a certain visual identifier can be color coded, it does not teach that the “certain visual identifier” allows the display of messages to be visually altered based on the junk ratings. Horvitz does not explain how the messages are “rank ordered,” nor does Horvitz state that the certain visual identifier is present in a separate field or column on a user interface. Even further, Horvitz specifically states that the “certain visual identifier” can be color coded. To the contrary, the invention of claim 1 does not use color coding in its visual display, but uses a separate field or column having the junk rating for each message so that the messages can be visually altered *based on the junk rating*.

When read in context, *the “certain visual identifier” is most certainly an identification of the message itself*, such as a flag, subject of the message, etc. *See id.* However, independent claim 1 recites that a message’s junk rating is what is exposed in the separate field or column. An indication of a message’s junk rating is respectfully not an identification of the message, but instead indicates whether the message is junk, and how junky the message is based on many factors. In order to teach or suggest the above-recited feature of claim 1, Horvitz would need to teach or suggest a *separate column that exposes each message’s junk rating*, as opposed to a visual identifier of the message. Color coding a visual identifier of a message respectfully does not teach or suggest the above-recited feature of claim 1 for at least the reasons stated above.

Additionally, as discussed during the Examiner Interview of November 2, 2010, claims amendments relating to hiding certain messages based on their junk ratings have been made to claim 1. Using one or more display rules that allow for certain messages, based on the junk ratings, to be hidden thus facilitating viewing of only desired messages, is not taught or suggested by any of the cited references. This amendment was suggested by Examiner Bargadle

during the interview of November 2. Both Examiners indicated that this feature is likely not taught by the cited references, although a further search would be required.

As such, for at least the above reasons, it is respectfully submitted that Rajan, Murray, Horvitz, Arthur, and Adkins, whether taken alone or in combination, fail to teach or suggest, either expressly or inherently, each and every element of independent claim 1, as amended herein, and, as such, claim 1 is not made obvious by these references. As such, a *prima facie* case of obviousness has not been made. Applicants respectfully request withdrawal of the rejection of claim 1 under 35 U.S.C. § 103(a).

Claims 2-9 and 11-12 depend directly or indirectly from independent claim 1, and thus Rajan, Murray, Horvitz, Arthur, and Adkins fail to render this claim obvious as well for at least the same reasons as claim 1, as discussed herein. As such, Applicants request withdrawal of the rejection of claims 2-9 and 11-12 under 35 U.S.C. § 103(a). Claims 2-9 and 11-12 are believed to be in condition for allowance and such favorable action is respectfully requested.

B.) Obviousness Rejection Based on Rajan in view of Murray, and in further view of Horvitz and Adkins.

Claims 15, 17, 18, 21-26 and 29 were rejected under 35 U.S.C. 103(a) as being unpatentable in view of Rajan and further in view of Murray and further in view of Horvitz and further in view of Adkins. As Rajan, Murray, Horvitz, and Adkins, both alone and in combination, fail to teach or suggest all of the limitations of rejected claims 15, 17, 18, 21-26, and 29, Applicants respectfully traverse this rejection, as hereinafter set forth.

Claim 15, as amended herein, is directed to a method that facilitates identification of junk messages in a user's inbox. The method includes employing a processor to execute the identification of junk message, which includes receiving a plurality of incoming messages,

determining whether a sender is known or trusted, and assigning a junk rating to the messages. Further, the method includes exposing at least the junk rating on a user interface and calculating a junk score for substantially all incoming messages, the junk score is computed to reflect a spam confidence level of the message, wherein the junk score is a value or fractional value between 0 and 1, and the spam confidence level corresponds to a probability that the message is spam or junk. The method additionally includes bucketizing the message based on the calculated junk score and tagging the message with a junk rating which is added as an actionable property on the message such that the junk rating is displayed on a user interface in association with each respective message as a separate column so that a display of the messages can be visually altered based on the junk ratings of the messages by way of one or more display rules, the one or more display rules allowing for certain messages, based on the junk ratings, to be hidden thus facilitating viewing of only desired messages. Further, the method includes determining whether at least one of the junk score or the junk rating exceeds a first threshold and removing messages that exceed the first threshold to mitigate inadvertent access of them by the user. The messages that exceed the first threshold are removed before they are viewable on the user interface. Also, the method includes overriding the junk score via a user-based action that affects the junk score of the message and future messages. A confirmation is presented regarding the user-based action on the message, the user-based action including one or more of modifying or replying to the message.

It is respectfully submitted that Rajan, in combination with Murray, Horvitz, and Adkins, fails to teach or suggest *“tagging the message with a junk rating which is added as an actionable property on the message such that the junk rating is displayed on a user interface in association with each respective message as a separate column so that a display of the messages*

can be visually altered based on the junk ratings of the messages by way of one or more display rules, the one or more display rules allowing for certain messages, based on the junk ratings, to be hidden thus facilitating viewing of only desired messages.”

During the Examiner Interview of November 2, 2010, a portion of the Horvitz reference was discussed. This portion states that “[f]urthermore, not only can these messages be rank ordered but additionally or alternatively the messages themselves (or portions thereof) or a certain visual identifier(s) for each such message can be color coded.” Horvitz, col. 14, ll. 19-23. Initially, Applicants respectfully submit that neither this portion of Horvitz nor any other portion of Horvitz teaches or suggests the above-recited feature. Specifically, claim 15, as amended herein, states that the junk rating is added as an actionable property on the message and is displayed on a user interface for each message as a separate column so that the display of messages can be visually altered based on the junk ratings. While Horvitz does state that messages can be rank ordered and that a certain visual identifier can be color coded, it does not teach that the “certain visual identifier” allows the display of messages to be visually altered based on the junk ratings. Horvitz does not explain how the messages are “rank ordered,” nor does Horvitz state that the certain visual identifier is present in a separate field or column on a user interface. Even further, Horvitz specifically states that the “certain visual identifier” can be color coded. To the contrary, the invention of claim 15 does not use color coding in its visual display, but uses a separate field or column having the junk rating for each message so that the messages can be visually altered ***based on the junk rating***.

When read in context, ***the “certain visual identifier” is most certainly an identification of the message itself***, such as a flag, subject of the message, etc. *See id.* However, independent claim 15 recites that a message’s junk rating is what is exposed in the separate field

or column. An indication of a message's junk rating is respectfully not an identification of the message, but instead indicates whether the message is junk, and how junky the message is based on many factors. In order to teach or suggest the above-recited feature of claim 15, Horvitz would need to teach or suggest a *separate column that exposes each message's junk rating*, as opposed to a visual identifier of the message. Color coding a visual identifier of a message respectfully does not teach or suggest the above-recited feature of claim 1 for at least the reasons stated above.

Additionally, as discussed during the Examiner Interview of November 2, 2010, claims amendments relating to hiding certain messages based on their junk ratings have been made to claim 15. Using one or more display rules that allow for certain messages, based on the junk ratings, to be hidden thus facilitating viewing of only desired messages, is not taught or suggested by any of the cited references. This amendment was suggested by Examiner Bargadle during the interview of November 2. Both Examiners indicated that this feature is likely not taught by the cited references, although a further search would be required.

As such, for at least the above reasons, it is respectfully submitted that Rajan, Murray, Horvitz, and Adkins, whether taken alone or in combination, fail to teach or suggest, either expressly or inherently, each and every element of independent claim 15, as amended herein, and, as such, claim 15 is not made obvious by these references. As such, a *prima facie* case of obviousness has not been made. Applicants respectfully request withdrawal of the rejection of claim 15 under 35 U.S.C. § 103(a).

Claims 17-18, 21-26, and 29 depend directly or indirectly from independent claim 15, and thus Rajan, Murray, Horvitz, and Adkins fail to render this claim obvious as well for at least the same reasons as claim 15, as discussed herein. As such, Applicants request withdrawal

of the rejection of claims 17-18, 21-26, and 29 under 35 U.S.C. § 103(a). Claims 17-18, 21-26, and 29 are believed to be in condition for allowance and such favorable action is respectfully requested.

CONCLUSION

For at least the reasons stated above, claims 1-9, 11-12, 15, 17-18, 21-26, and 29 are now in condition for allowance. Applicants respectfully request withdrawal of the pending rejections and allowance of the claims. If any issues remain that would prevent issuance of this application, the Examiner is urged to contact the undersigned – 816-474-6550 or emcfarland@shb.com (such communication via email is herein expressly granted) – to resolve the same. It is believed that no additional fee is due; however, the Commissioner is hereby authorized to charge any additional fees that are required, or credit any overpayment, to Deposit Account 19-2112 with reference to Attorney Docket No. MFCP.149237.

Respectfully submitted,

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